

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

JOHN BROWN,

Defendant.
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CASTEL, U.S.D.J.

17-cr-789 (PKC)
19-cv-11557 (PKC)

ORDER

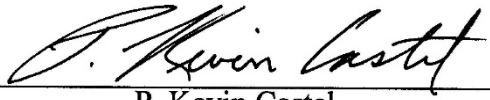
Defendant John Brown entered a plea of guilty to four counts of Hobbs Act robbery and was sentenced to principally 72 months imprisonment, a sentence within the Stipulated Guidelines range in the plea agreement. No appeal was filed. Defendant Brown moved for a sentence reduction under 18 U.S.C. § 3582(c)(1)(A), which was denied on February 11, 2021. No appeal was filed. He moved to vacate, set aside or correct his sentence under 28 U.S.C. § 2255. That motion was denied on April 1, 2021. No appeal was filed.

Now defendant Brown again challenges his sentence. The Court deems the application a second successive motion under section 2255 and transfers the motion to the United States Court of Appeals for the Second Circuit. See Torres v. Senkowski, 316 F.3d 147, 151 (2d Cir. 2003).

The Clerk is directed to file defendant Brown's letter motion mailed on July 30, 2021 and transfer the motion to the United States Court of Appeals for the Second Circuit. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Mailed to John Brown August 12, 2021

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
August 12, 2021